

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Jordi XAUS PEY, et al.
Filed : Concurrently herewith
For : PROBIOTIC STRAINS, A PROCESS....
Serial No. : Concurrently herewith

Commissioner for Patents
Washington, D.C. 20231

June 26, 2003

INFORMATION DISCLOSURE STATEMENT

SIR:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to issue a patent in the instant application.

As this Statement is being filed prior to issuance of a first Office Action, no fee is due.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will

determine the best prior art consistent with 37 CFR 1.104 (a), and in the course of such search will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is respectfully solicited.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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STATEMENT BY APPLICANT**

Sheet 1 of 1

Application No. :

Filing Date :

First Named Inventor: J. XAUS PEY

Group Art Unit :

Examiner Name :

Attorney Docket No.: HERR 20.471

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document	Kind Code if known ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear

FOREIGN DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (if known)	Country	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear
		WO 97 46104 A	PCT	BIOGAIA BIOLOGICS AB	12-11-1997	

Other Prior Art-Non Patent Literature Documents

✓ 1	Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check here if English language translation attached
✓ 2			PARK YEONG-SOO ET AL. Isolation and Characterization of Lactic Acid Bacteria from feces of newborn baby and from Dongchimi. Journal of Agricultural and Food Chemistry. April 24, 2002. pgs 2531-2536 Vol. 50, No. 9	
✓ 3			CAMASCHELLA P. ET AL. Criteria for the Selection of Some Lactobacteria Destined for the Diet of Young Swine. Annali Di Microbiologia . 1983. pgs 109-120, Vol. 33 No.2	
✓ 4			ERKKILA S. ET AL. Screening of Commercial Meat Starter Cultures at Low pH and in the Presence of Bile Salts for Potential Probiotic Use. Meat Science 2000. pgs 297-300.	
✓ 5			DUNNE C. ET AL. Probiotics: From Myth to Reality. Demonstration of Functionality in Animal Models of Disease and In Human Clinical Trials. Antonie Van Leeuwenhoek, Dordrecht, NL, 1999 pgs. 279-292, Vol. 76, No.1-4	
✓ 6			OSTOVAR K. ET AL. Characterization of Microorganisms Isolated from Breast Milk of Iranian Mothers. Lebensmittel-Wissenschaft & Technologie. 1977 pgs 260-262, Vol 10, No 5.	
✓ 7			GAVIN ET AL. Microbiological Characterization of Human Milk. Journal of Food Protection. 1977. pgs 614-616. Vol. 40, No.9	
✓ 8			XANTHOPOULOS V. ET AL. Differentiation of Lactobacillus Isolates from Infant Faeces by SDS-PAGE and rRNA-targeted oligonucleotide Probes. Journal of Applied Microbiology. November 1999. pgs 743-749. Vol. 87, No.5	
✓ 9			KAUR INDU PAL ET AL. Probiotics: Potential Pharmaceutical Applications. European Journal of Pharmaceutical Sciences. February 2002. pgs. 1-9, Vol. 15 No.1	

		JACOBSEN C.N. ET AL. Screening of Probiotic Activities of Forty-Seven Strains of Lactobacillus spp. by in vitro Techniques and Evaluation of the Colonization Ability of Five Selected Strains in Humans. Applied and Environmental Microbiology November 1999. pgs. 4949-4956, Vol. 65, No.11	
		LOURENS-HATTINGH ANALIE ET AL. Yogurt as Probiotic Carrier Food. International Dairy Journal. 2001. pgs 1-17. Vol. 11, No.1-2	
Examiner Signature		Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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